

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
November 7, 2011**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 5, 2011. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-present, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Josh Hochberg-present, Mr. Robert Steen-present.

Also present: Borough Attorney Albert Cruz, Borough Engineer Bill Tanner, Borough Clerk Rebecca Newman, Deputy Clerk Christine Witt, CFO Joe Monzo, Mayor Ed Zimmerman.

MAYOR'S COMMENTS

The Mayor thanked the Rocky Hill Fire Department for their service during the snowstorm and on Halloween. The Board of Health has requested an email database to send e-blasts. The goats sighted twice around town belong to the Scasserra farm. The Mayor received a framed photo of the Rocky Hill quilt from Jeanette Muser in commemoration of the Historic Preservation Celebration.

The Mayor announced that a community event to commemorate the retirement of Toby Whitlock is to be held on November 30th. Steen made a motion to approve up to \$2,000 for the party, seconded by Hasser. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

APPROVAL OF MINUTES

Regular Meeting Minutes – October 17, 2011 –Motion was made by Donahue to approve the minutes. Steen seconded motion. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

Executive Session Minutes – October 17, 2011 –Motion made by Hochberg to approve the minutes, seconded by Hasser. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

Nothing was added.

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Constable Jim Banks noted that the town constables also helped with Halloween street crossings between 4:30 and 6 pm, before the Fire Department came on duty.

Hearing no further comments/questions the floor was immediately closed.

STATE POLICE REPORT

The state police report for the months of September and October, as received from Lt. Steve Grillon of the NJSP, was summarized by Council Member Pausch (copy on file in the office of the Borough Clerk).

ENGINEER'S REPORT

Report dated November 7, 2011 as received by Engineer Tanner was distributed and filed in the Borough Clerk's office. Engineer Tanner provided an overview of the report.

The Mayor noted that brush and limb pick up was done before Halloween, but due to the October snowstorm, it needs to be done again. Since the storm was deemed a FEMA event, some of the cost should be recoverable.

Toth Lane Inlet-The County vac-truck cleaned out the inlet near 7 Toth Lane with no result. The County then used a camera to discover that the pipes are filled with root hairs, leaves and mud in some places and misaligned in other places. A video of the County's findings was shown to the Council. These problems need to be repaired, but it will be expensive. Before beginning on the work on Toth Lane, the Engineer suggested that area near the pond in Van Horne Park also be checked with cameras to see if the same problems are causing the drainage issues. The Mayor suggested that the County should also use cameras at Merritt and Lemoore Lanes.

Van Horne Park-Montgomery Township gave a price of \$17,000 to repair the pond. Steen made a motion to spend up to 20% of \$17,000 from the park maintenance budget to have Montgomery Township repair the pond. Hasser seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

Playground Re-Mulching-The State Department of Corrections workers are not available until late November, so the Engineer proposed waiting until Spring 2012, when the weather is warmer, to commence with this project.

Well Closure-The Engineer has prepared an RFQ and bids will be received Friday, November 18.

Sewer Odor-The Engineer will follow up with Montgomery regarding odor control on sewage from Stonebridge.

Washington Street Manholes-The County has replaced the noisiest manhole frame and cover.

Bushes at corner of Washington St. and Montgomery Ave.-The bushes are growing back and blocking the site lines of drivers. The Constable will ask the new renter to maintain the bushes, otherwise the County will remove them.

Councilman Donahue asked about repairing the swing set behind Borough Hall. One bar needs to be replaced, and the Engineer is waiting to find out the price of the piece. In the meantime, it was suggested that the swings be removed to prevent injury. Donahue also brought up that there are dead trees throughout the Borough, and he stated that he would confer with the Shade Tree Committee.

Councilman Steen asked how much it would cost to bury the power lines. The response from the Borough Attorney was that the town does not own the power lines and would have to petition the Board of Public Utilities to do so. In addition, the cost is prohibitive.

Peggy Harris, 66 Crescent Ave. pointed out the Montgomery Township has not cleared out the weeds nor removed a tree abutting the road along Princeton Ave. that is part of Van Horne Park. Councilman Steen also reported that there are trees down on the walking paths in the park.

Constable Banks inquired about the status of the crosswalk signals for Washington St. Since this area is a historic district, the application must be approved by the State Historic Preservation Office (SHPO).

CHIEF FINANCIAL OFFICER'S REPORT

CFO Monzo stated that the Borough is on target for expenditures this year, and there are no issues of concern. Hasser made a motion to approve the CFO's report, Pausch seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

APPROVAL OF VOUCHERS

Bill list dated November 7, 2011 was presented for approval. Hasser made a motion to approve all vouchers except number 7001. Motion seconded by Pausch. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen.

Against: None

Abstain: None

Steen made a motion to approve voucher 7001, Hasser seconded the motion. Motion carried on roll call vote – all ayes.

For: Donahue, Hasser, Hochberg, Pausch, Steen.

Against: None

Abstain: Bremner

SPECIAL BUSINESS

Resolution 2011-75 Resolution Authorizing Transfers Within Current Fund

Motion was made by Hasser to approve the resolution as presented. Motion seconded by Steen. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

Resolution 2011- 76 Resolution Authorizing the Mayor and Clerk to Sign the Contract for Shared Services with South Brunswick Township for a Recycling Coordinator

Motion was made by Hasser to approve the resolution as presented. Motion was seconded by Pausch.

Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

Resolution 2011-77 Resolution to Extend Contract for a Second Round of Brush and Limb Pick Up

Motion made by Steen to approve the resolution with the contract not to exceed \$7,500. Motion seconded by Hasser. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen
Against: None
Abstain: None

The brush and limb pick up will begin the week of November 14th.

UNFINISHED BUSINESS

General Code Ordinance Codification. Councilman Hochberg explained that the ordinances are codified and bound annually, and the quote for this year is between \$1,500 and \$1,940.

Security Issues at Borough Hall. The Mayor reported that doors have been continuously left open and/or unlocked. The Mayor recommended a change to a key fob or accountability tag machine. Councilman Donahue will follow up with the person the Fire Department used for the firehouse.

Rocky Hill First Aid Squad Update

Jim Banks of the Rocky Hill First Aid Squad (RHFAS) reported that as of October 20th, Deborah Westbrook is the primary Operations Officer with Tom McGrew remaining as Lieutenant. The Squad continues to provide primary response from 6 pm Friday to 6 am Saturday and 6 pm Saturday to 6 am Sunday. All other periods are covered by Princeton First Aid and Rescue Squad as primary, with Rocky Hill scrambling on all calls.

The Squad currently has 20 crew members, but a major issue is getting experience for these members. Since Rocky Hill does not have that many calls (3 since October 14, one on shift and two scrambles), it is helpful to have good relationships with Kingston and Princeton since these squads allow Rocky Hill members to run with them.

A committee has been formed to create Standard Operating Procedures. The Squad is also working on better communications with other emergency services departments. The Squad continues to work on recruitment and fundraising.

The new furnace for the Squad headquarters will be working Tuesday, November 15, and the roof has been repaired. The computer system recently went down but most files were retrieved. A new program "I Am Responding" will be installed.

The Mayor noted that there was no First Aid Squad presence on Halloween. A top priority for the RHFAS must be the outreach program for Rocky Hill residents regarding Princeton's billing procedures. Also, a back up plan must be in place in case the RHFAS does not make it past the probationary period.

Councilman Donahue praised the Squad for the work they've done in getting their services running again.

NEW BUSINESS

None.

COMMUNICATIONS:

Communications as listed were distributed, disseminated and filed accordingly.

FINAL PUBLIC COMMENT

The floor was opened to the public for comments/questions:

Peggy Harris, 66 Crescent- Ms. Harris noted that the entrance to Panicaró Park is blocked by brush and that this must be cleared before the Veteran's Day celebration.

Executive Session-Resolution 2011-78 to Retire into Executive Session (9:10 PM)

Motion was made by Hasser to approve the resolution and retire to into executive session. Motion seconded by Donahue. Motion carried on voice vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen
Against: None
Abstain: None

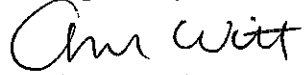
Results of Executive Session (9:40 PM)

None

ADJOURNMENT:

Motion was made by Steen with a second by Bremner to adjourn the meeting at 9:40 PM. All voted in favor of adjournment.

Respectfully submitted:



Christine Witt
Deputy Borough Clerk

111 List Nov. 7, 2011

List of Bills - (0110101001) CASH
CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
6978	488 - ALAN LOVERING	PO 3546 Water used to soak bushes at Panica	108.00	108.00
6979	60 - COURIER NEWS	PO 3551 Planning Board Legal Notices: Marti	12.76	12.76
6980	62 - MARILYN CRANE	PO 3553 Decorations for Historic Preservati	133.80	133.80
6981	71 - DIFRANCESCO BATEMAN PC	PO 3548 Legal Services September 2100	1,485.00	1,485.00
6982	72 - DUO BLDG MAINTENANCE	PO 3554 Janitorial Services	185.00	185.00
6983	354 - IKON Office Solutions Inc	PO 3534 copy maching rental Oct. 2011	124.50	124.50
6984	486 - JARED WITT	PO 3529 Public Defender service Oct. 12, 20	200.00	200.00
6985	122 - KENCOR INC	PO 3557 Bi-monthly elevator service	75.00	75.00
6986	463 - MASON, GRIFFIN & PIERSON	PO 3531 Planning Board Legal Services Sept.	42.00	42.00
6987	487 - MICHAEL GOLDMAN	PO 3535 NJPO Mandatory Training	84.00	84.00
6988	378 - Maitland Van Nostrand	PO 3536 Green Acres Mowing	600.00	600.00
6989	210 - PSE&G	PO 3558 Street Lights Nov. 2011	718.93	718.93
6990	210 - PSE&G	PO 3559 Municipal Building electric	693.79	693.79
6991	210 - PSE&G	PO 3560 Crescent Point Park electric	6.17	6.17
6992	213 - QSCEND TECHNOLOGIES INC	PO 3540 Software maintenance and support 12	962.43	962.43
6993	247 - SOMERSET COUNTY TREASURER	PO 3538 County tax 4th quarter 2011	89,000.68	89,000.68
6994	247 - SOMERSET COUNTY TREASURER	PO 3539 Library tax 4th quarter 2011	13,577.53	13,577.53
6995	247 - SOMERSET COUNTY TREASURER	PO 3545 Storm Sewer Toth Lane	1,251.94	1,251.94
6996	248 - SOMERSET CTY GOV. OFFS. ASSOC.	PO 3533 October meeting: Zimmerman & Bremm	70.00	70.00
6997	490 - SPB ARCHITECTURE LLC	PO 3562 Historic Preservation Celebration	466.20	466.20
6998	452 - SPRINT-NEXTEL CORP	PO 3555 Mayor and Clerk's Blackberries	167.97	167.97
6999	259 - NEW JERSEY STATE TREASURER	PO 3537 Marriage/Civil Union License Report	25.00	25.00
7000	489 - STEVEN HAYDEN	PO 3552 Music performance at Historic Prese	400.00	400.00
7001	416 - THOMAS BREMNER	PO 3530 Wheelbarrow	10.00	10.00
7002	286 - VAN CLEEF ENGINEERING	PO 3550 Engineering Services September 2011	5,154.00	5,154.00
7003	289 - VERIZON	PO 3542 Boro phone	203.46	203.46
7004	289 - VERIZON	PO 3543 EMS phone	61.33	61.33
7005	291 - VITAL SERVICES GROUP	PO 3541 Senior Citizen Post Year Statements	30.00	30.00
1004	Stake Treasurr	Dog & Cat Licene	4.20	
	TOTAL			115,849.49

otal to be paid from Fund 01 CURRENT FUND

115,849.49
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List of Bills - (1926005) INTERFUND - DUE CURRENT
TRUST OTHER

Check#	Vendor	Description	Payment	Check Total
7006	463 - MASON, GRIFFIN & PIERSON	PO 3532 10 Princeton Ave. (Martin)	532.00	532.00
	TOTAL			532.00

List of Bills - (0810101001) CASH
UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6582	71 - DIFRANCESCO BATEMAN PC	PO 3547 Legal work: Sewer	1,395.00	1,395.00
6583	210 - PSE&G	PO 3561 Water Department Electric	1,102.26	1,102.26
6584	286 - VAN CLEEF ENGINEERING	PO 3549 Engineering services: Sewer	2,981.75	2,981.75
6585	322 - VECTOR SECURITY	PO 3556 Water Department Monitoring 11/01/2	606.48	606.48
6586	289 - VERIZON	PO 3544 water dept. phone	28.93	28.93
			85,000.00	85,000.00
6587	163 - MONTGOMERY TOWNSHIP	PO 3030 2010 Sewer Service Charge-		

BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET

RESOLUTION 2011-75

**RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT
FUND IN THE
Borough OF Rocky Hill FOR THE BUDGET YEAR 2011**

BE IT RESOLVED on this 7th day of November, 2011 by the Borough Council for the Borough of Rocky Hill, County of Somerset, that from the surplus balance in the 2011 budget appropriations transfers be made as follows:

CURRENT FUND: Inside the CAP to Inside the CAP
Operating Expenses and Salaries & Wages

<u>Title</u>		<u>Transfer From</u>	<u>Transfer To</u>
Legal	OE	1,000.00	
Assessment	OE		350.00
Clerk	OE		650.00

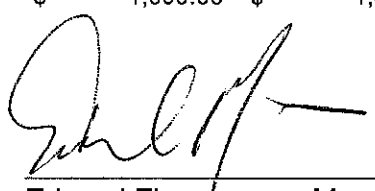
TOTAL

\$ 1,000.00 \$ 1,000.00

ATTEST



Rebecca P. Newman, Clerk



Edward Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Municipal Clerk of the Borough of Rocky Hill, County Somerset and State of New Jersey, do hereby certify the foregoing to be a true copy of Resolution duly adopted by the Mayor and Council on November 7, 2011.

Rebecca P. Newman, Clerk

EXPLANATION: This Resolution authorizes the Mayor and Clerk to sign an Interlocal Services Agreement between the Township of South Brunswick and the Borough of Rocky Hill for a Recycling Coordinator.

RESOLUTION 2011-76

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes municipalities to enter into shared services agreements; and

WHEREAS, Rocky Hill is in need of Recycling Coordinator Services; and

WHEREAS, South Brunswick has the capacity to provide Recycling Coordinator Services to Rocky Hill; and

WHEREAS, South Brunswick is willing to provide Recycling Coordinator Services to Rocky Hill for a rate of \$40.00 per hour, not to exceed 10 hours per month, not to exceed \$3,000 per year; and

WHEREAS, the Chief Financial Officer has certified that funds have been appropriated for these services; and

WHEREAS, South Brunswick and Rocky Hill desire to enter into an Interlocal Services Agreement for Recycling Coordinator Services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, in the County of Somerset, State of New Jersey, as follows:

1. That the Interlocal Services Agreement between the Township of South Brunswick and the Borough of Rocky Hill for Recycling Coordinator Services is hereby approved.
2. That the Mayor and Clerk are hereby authorized to sign the Interlocal Services Agreement in substantially the form attached.

3. That this Resolution takes effect immediately.

ATTEST:

By: 

Rebecca Newman, Clerk

By: 

Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca Newman, Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on November 7, 2011.

Rebecca Newman, Clerk

RESOLUTION 2011 - 77

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill entered into a contract for brush and limb removal service on October 22, 2011 with Robert Wells Tree and Landscape, Inc; and

WHEREAS, the brush and limbs were removed as per the contract on October 26, 2011; and

WHEREAS, on October 29, 2011 the Borough endured a significant storm causing substantial tree and limb damage; and

WHEREAS, the Borough of Rocky Hill has a need to extend the contract for a second round of brush and limb removal service; and

WHEREAS, the description of work to be performed is as follows: Provide all labor, equipment and materials required to collect and remove brush and limbs placed at the curb/edge of pavement by residents of the Borough. The work shall include the collection, chipping and removal of all branches and brush to an approved location for disposal. The work shall be limited to branches 4" or less in diameter. Stumps and larger material are not included within this contract at a rate of \$150.00 per hour for an amount not to exceed \$5,000.00; and

WHEREAS, the initial contract and extension are below the bid threshold and will not exceed \$5,000.00 pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, there are sufficient funds in the Borough's budget to pay for this service.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough of Rocky Hill extends a contract with Robert Wells Tree and Landscape, Inc., to perform the following services: a second round of brush and tree limb removal at \$150.00 per hour, not to exceed \$2,500.00.
2. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.
3. This Resolution shall take effect immediately.

ATTEST:

By: 

Rebecca P. Newman
Borough Clerk

By: 

Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: _____.

Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on November 7, 2011.

Rebecca P. Newman
Borough Clerk

EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

RESOLUTION 2011- 78

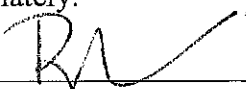
WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the executive Session of November 7, 2011
2. The general nature of the subject matter to be discussed is as follows: -
Contract Negotiations: Township of Montgomery: Sewer Agreement
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

This Resolution takes effect immediately.



Rebecca P. Newman
Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk, of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a regular meeting of said Council held on November 7, 2011.

Rebecca P. Newman
Borough Clerk